

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : CRIMINAL ACTION

v. :

OSWELL MCGHEE : NO. 07-733

**ORDER**

AND NOW, this 17th day of October, 2011, upon consideration of Defendant's Motion to Dismiss the Superseding Indictment (ECF No. 38), and the Government's response thereto, and for the reasons discussed in the accompanying Memorandum of Law it is hereby ORDERED that Defendant's Motion to Dismiss the Superseding Indictment is DENIED.

Additionally, the Court hereby reserves judgment on the following motions:

1. Defendant's Motion, in the Alternative, to Preclude Reference to the Evidence Recorded on Property Receipt No. 2721497 (ECF No. 38);
2. Defendant's Motion in Limine to Preclude Reference to the June 17, 2007 Shooting (ECF No. 39);
3. Defendant's Motion for a Bifurcated Trial (ECF No. 40);
4. Government's Motion in Limine to Admit Evidence Pursuant to Federal Rule of Evidence 609(a) (ECF No. 55); and
5. Government's Motion in Limine to Admit Evidence Pursuant to Federal Rule of Evidence 404(b) (ECF No. 56).

BY THE COURT:

/s/ Michael M. Baylson

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Michael M. Baylson, U.S.D.J.